



U.S. BANKRUPTCY COURT  
NORTHERN DISTRICT OF TEXAS

**ENTERED**

TAWANA C. MARSHALL, CLERK  
THE DATE OF ENTRY IS  
ON THE COURT'S DOCKET

The following constitutes the ruling of the court and has the force and effect therein described.

Signed March 10, 2014

  
United States Bankruptcy Judge

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

_____	)	
In re	)	Chapter 15
	)	
MtGox Co., Ltd. (a/k/a MtGox KK)	)	Case No. 14-31229-sgj15
	)	
Debtor in a Foreign Proceeding.	)	
_____	)	

**ORDER GRANTING APPLICATION FOR  
PROVISIONAL RELIEF, SCHEDULING RECOGNITION  
HEARING, AND SPECIFYING FORM AND MANNER OF NOTICE**  
*[Relates to Docket Nos. 3, 4, 5 and 6]*

Upon the Application for an Order Granting Provisional Relief, Scheduling Recognition Hearing, and Specifying Form and Manner of Notice (the "Application")<sup>1</sup> seeking certain provisional relief pursuant to sections 105(a) and 1519 of the Bankruptcy Code (the "Bankruptcy Code"); and upon the hearing on the Application and this Court's review and consideration of the Application, the Gamlen Declaration, the Karpeles Declaration, and the Memorandum of Law in Support of Petition for Recognition and the Application for Provisional Relief,

<sup>1</sup> Capitalized terms used but not otherwise defined herein shall have the same meanings ascribed to them in the Application.

Scheduling Recognition Hearing, and Approving Form and Manner of Notice; and considering the statements and arguments of counsel present (in person and telephonically) at the hearing;

**IT IS HEREBY FOUND AND DETERMINED THAT:<sup>2</sup>**

A. This Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334, and 11 U.S.C. §§ 109 and 1501.

B. The consideration of the Application and the relief requested therein is a core proceeding under 28 U.S.C. § 157(b)(2)(P).

C. Venue is proper before this Court for the purposes of this hearing pursuant to 28 U.S.C. § 1410.

D. For the reasons stated on the record the Court finds that cause exists to grant the relief herein.

E. MtGox Co., Ltd. (a/k/a MtGox KK), (the “Debtor”) is entitled to the full protections and rights available pursuant to section 1519(a)(1)-(3) of the Bankruptcy Code.

F. The form and manner of the proposed Notice to be provided to known affected creditors is appropriate and satisfies the requirements of Bankruptcy Rules 1011(b), 2002(q), and 9007.

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<sup>2</sup> The findings and conclusions set forth herein and in the record of the hearing on the Application constitute this Court’s findings of facts and conclusions of law pursuant to Rule 52 of the Federal Rules of Civil Procedure, as made applicable herein by Rules 7052 and 9014 of the Federal Rules of Bankruptcy Procedure (“the Bankruptcy Rules”). To the extent any of the findings of fact herein constitute findings of fact, they are adopted here as such. To the extent any of the conclusions of law herein constitute finding of fact, they are adopted as such.

**BASED ON THE FOREGOING FINDINGS OF FACT AND AFTER DUE DELIBERATION AND SUFFICIENT CAUSE APPEARING THEREFOR, IT IS HEREBY ORDERED THAT:**

1. The Debtor is entitled to the full protections and rights available pursuant to section 1519(a)(1)-(3) of the Bankruptcy Code. Pursuant to sections 1519(a)(3) and 1521(a)(7) of the Bankruptcy Code, section 362 of the Bankruptcy Code is applicable to the Debtor and its assets until further order of this Court, or as so ordered at the Recognition Hearing.

2. The Recognition Hearing shall be held on *April 1, 2014 at 1:30 p.m.* and continue, if necessary, on *April 2, 2014 at 9:30 a.m. (CST)*, before the *Honorable Stacey G.C. Jernigan, United States Bankruptcy Court, Northern District of Texas, 14<sup>th</sup> Floor, 1100 Commerce Street, Dallas, Texas 75252.*

3. The form of notice of the Recognition Hearing attached to the Application as Exhibit B (the “Notice”) is hereby approved.

4. Petitioner shall serve copies of the Notice and this Order by e-mail and/or express mail, within three business days upon the entry of this Order upon the Notice Parties.

5. If any party files a notice of appearance in this case, Petitioner shall serve the Notice and the Order upon such party within two business days of the filing of such notice of appearance if such documents have not already been served on such party (or its counsel).

6. Service pursuant to this Order shall be good and sufficient service and adequate notice of the Recognition Hearing.

7. Responses or objections, if any, to the Petition must be made in writing describing the basis therefore and shall be filed with this Court and served upon Baker & McKenzie LLP, 2300 Trammell Crow Center, 2001 Ross Avenue, Dallas, Texas 75201 (Attention: David W. Parham and John Mitchell) and Baker & McKenzie LLP, 300 East Randolph Drive, Suite 5000,

Chicago, Illinois 60602 (Attention: Erin E. Broderick), United States counsel to the Petitioner, so as to be received on or before 4:00 p.m. (Central Time) seven days prior to the Recognition Hearing.

### END OF ORDER ###

Prepared and submitted by:

**BAKER & McKENZIE LLP**

/s/ David W. Parham

David W. Parham

State Bar No. 15459500

John Mitchell

State Bar No. 24056313

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- and -

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*Attorneys for the Petitioner Robert Marie Mark Karpeles,  
Foreign Representative of MtGox Co., Ltd., a/k/a MtGox KK*

In re:  
MtGox Co., Ltd.  
Debtor

Case No. 14-31229-sgj  
Chapter 15

### CERTIFICATE OF NOTICE

District/off: 0539-3

User: dmoroles  
Form ID: pdf012

Page 1 of 1  
Total Noticed: 1

Date Rcvd: Mar 10, 2014

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 12, 2014.

db MtGox Co., Ltd., Level 15-F, Cerulean Tower, 26-1 Sakuragaoka-cho, Shibuya-ku,  
Tokyo, 150-8152, JAPAN

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE.

TOTAL: 0

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Mar 12, 2014

Signature: /s/Joseph Speetjens

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### CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 10, 2014 at the address(es) listed below:

David William Parham on behalf of Debtor MtGox Co., Ltd. david.parham@bakermckenzie.com,  
julia.rogic@bakermckenzie.com  
John E. Mitchell on behalf of Debtor MtGox Co., Ltd. john.mitchell@bakermckenzie.com,  
julia.rogic@bakermckenzie.com  
United States Trustee ustpreion06.da.ecf@usdoj.gov, albert.loftus@usdoj.gov

TOTAL: 3